

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 28TH NOVEMBER 2007 / 7TH AGRAHAYANA 1929

Con.Case(C).No. 1622 of 2007(S)

AGAINST THE JUDGEMENT/ORDER IN WPC.21034/2006 Dated 18/08/2007

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: PETITIONER

N.OMANAKKUTTAN PILLAI , S/O.NARAYANAN PILLAI,
AGED 46 YEARS, VALIL PADINJATTATHIL(MAHAESWARI
MADOM) PALAICKAL MURIYIL, THEVALAKKARA P.O.,
KOLLAM DISTRICT.

BY ADV. SRI.C.UNNIKRISHNAN (KOLLAM)
SRI.S.HARIKRISHNAN

RESPONDENTS: RESPONDENTS

1. MR.NOYAL THOMAS, S/O. THOMAS
AGED 45 YEARS, SECRETARY, KERALA STATE HOUSING
BOARD, THIRUVANANTHAPURAM.
2. MR.RAVEENDRAN PILLAI AGE AND FATHERS NAME NOT KNOWN
TO THE PETITIONER,
ASST.SECRETARY (LOANS) KERALA STATE HOUSING BOARD,
KARUNAGAPPALLY, KOLLAM.
3. MR.VISWANANTHA PILLAI,AGE AND FATHERS
NAME NOT KNOWN TO THE PETITIONER,
TAHSILDAR (R.R.) KARUNAGAPPALLY.
4. MR.VENU KUMAR,AGE AND FATHERS
NAME NOT KNOWN TO THE PETITIONER,
VILLAGE OFFICER, THEVALAKKARA, KOLLAM.

BY ADV. SRI.A.JAYASANKAR, SC KSHB, TVM

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING COME UP FOR ADMISSION
ON 28/11/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

Contempt of Court Case No. 1622 of 2007

Dated, this the 28th day of November, 2007

J U D G M E N T

This Contempt of Court Case is filed stating that respondents have committed violation of judgment. However, learned standing counsel produced the communication issued by the Housing Board pursuant to the judgment, whereunder penal interest and default interest are waived pursuant to the directions issued by this Court. Delay in issuing the statement is obviously on account of petitioner's failure to produce copy of the judgment before the respondents. Instead of producing judgment, petitioner waited for the respondents to collect copy of the judgment from this Court. The grievance of the petitioner now appears against the adjustment of payments towards interest. This Court has not prohibited adjustment of payments against interest under loan agreement. Petitioner has referred to the observation made in the judgment that petitioner has repaid the loan amount. It is only an observation and not finding. In the circumstances, I do not find any justification to proceed with the Contempt of Court Case. The Contempt of Court Case is, therefore, closed but petitioner is granted time till 31/12/2007 to make payment of balance amount without any further interest.

(C.N.RAMACHANDRAN NAIR, JUDGE)